



MILWAUKEE POLICE DEPARTMENT

STANDARD OPERATING PROCEDURE

650 – VEHICLE CRASHES

GENERAL ORDER: 2014-60
ISSUED: July 1, 2014

EFFECTIVE: July 1, 2014

REVIEWED/APPROVED BY:
Captain Regina Howard
DATE: June 16, 2014

ACTION: Amends General Order 2009-11 (March 12, 2009)

WILEAG STANDARD(S): 6.2.7, 6.2.8

650.00 PURPOSE

The purpose of this procedure is to provide department members with instructions to properly investigate, report, and track motor vehicle crashes coming to their attention. Members are encouraged to refer to the Motor Vehicle Accident Report Manual for guidance on how to properly report vehicle crashes. This manual is available on the Department Intranet.

650.05 JURISDICTION OF REPORTING AGENCY

The geographical jurisdiction of the agency reporting such motor vehicle crashes shall be governed by the territorial integrity of such cities, villages, or towns. Expressway ramps are the jurisdiction of the county sheriff when the crash occurs within the physical limits of the fencing line of approach ramps or exit ramps.

650.10 CRASH SCENE PROCEDURES (WILEAG 6.2.8)

Police members responding as primary units or assisting units in vehicle crashes shall abide by the following procedures and file the appropriate reports as outlined in 650.15 and 615.20.

- A. The primary investigator is the incident commander until relieved by a member of a higher rank.
- B. Secure the scene and broadcast a safe entry route.
- C. If there are visible injuries or any driver is complaining of injury implement first responder techniques and request medical attention.
- D. Separate witnesses and obtain statements. Broadcast any description of fleeing vehicles or persons.
- E. Treat scene as a crime scene. Motorists should not be talking on cell phones and speaking with other motorists or passengers.
- F. Members should not touch, operate or manipulate vehicles unless necessary for scene safety.
- G. If members encounter any safety hazards as a result of the crash such as a gas leak or

vehicle fire MFD should be contacted through the department's Technical Communications Division
(WILEAG 6.2.8.1, 6.2.8.2, 6.2.8.3, 6.2.8.4, 6.2.8.5)

650.15 NON-REPORTABLE CRASHES (WILEAG 6.2.7)

- A. Crashes where there is no death or personal injury and the amount of damage to state or other government owned property (except vehicles) to an apparent extent of less than \$200 or a total damage to property owned by any one person or to a state or other government-owned vehicle to an apparent extent of less than \$1,000, are not reportable under state law. Therefore, members shall not file a *Wisconsin Uniform Crash Report* (form MV-4000E), but shall provide each driver with a *Driver Exchange of Crash Information* (TraCS BDS331). Upon completion of the TraCS BDS331, the form must be "End Shifted" into the database.
(WILEAG 6.2.7.3, 6.2.7.4)
- B. NON-CRASHES
1. The following illustrations are those in which an MV-4000E is not necessary or required, as per the National Safety Council or state law. This list is not all-inclusive.
 - a. Train striking a pedestrian, bicycle, or any non-motorized vehicle, on or off the roadway.
 - b. Bicyclist strikes a fixed object or a legally parked auto.
 - c. Bicyclist strikes a pedestrian or another bicyclist.
 - d. Push carts, hand trucks, or other non-motorized vehicles running into legally parked autos.
 - e. Acts of nature: lightning, flood, torrential rain, cloudburst, or tornado.
 - f. Loading on/off a conveyance of a vehicle not under its own power.
 - g. Suicide, homicide or self-inflicted injury.
 - h. Harm done only to an animal (under \$1,000 damage).
 - i. Loaded gun fires accidentally causing injury.
 - j. Breakage of car parts without collision.
 - k. Injury/damage from working on car not in transport.
 - l. Intentionally pushing a person from a vehicle.

650.20 REPORTABLE CRASHES (WILEAG 6.2.7)

A. Police members shall file an MV-4000E when the crash is reportable as defined in Wis. Stat. § 346.70(1). The following are examples when an MV-4000 is required. This list is no way all-inclusive.

1. Accidental carbon monoxide poisoning generated by the vehicle, while vehicle is in transport.
(WILEAG 6.2.7.5)
2. Breakage of any part of vehicle, resulting in injury or damage.
3. Explosion of any part of the motor vehicle in transport.
4. Person falling or jumping from a vehicle.
5. A fire starting in a motor vehicle in transport.
6. Person hit by object in or thrown into or against a vehicle.
7. Injury or damage by animals flying into or against a vehicle.
8. Bridge giving way under the weight of a vehicle.
9. Intentional acts shall be filed for “financial responsibility” purposes as per Wis. Stat. § 344. An incident report is needed for the crime.
10. All reportable crashes occurring on private property open for use by the public.
(WILEAG 6.2.7.6)
11. All hit and run cases.
(WILEAG 6.2.7.2)
12. Any damage to state or other government-owned property, except a state or other government-owned vehicle, to an apparent extent of \$200 or more, or total damage to property owned by any one person or to a state or other government-owned vehicle to an apparent extent of \$1,000 or more.
(WILEAG 6.2.7.3)

B. HIT AND RUN CRASHES

1. Members shall not enter the registration plate of a hit and run vehicle on the MV-4000E unless a member has personally seen such vehicle and can confirm said vehicle was the vehicle involved in the crash.

Note: Inaccurate reporting of a hit and run vehicle may cause a civil judgment to be filed against an uninvolved party.

2. If there is no information available that might lead to the identification of the “Hit

and Run” vehicle or driver, no supplemental information is necessary. In such cases, the investigating officer will note in the narrative that no further information is available.

(WILEAG 6.2.7.2)

C. SUPPLEMENTAL CRASH REPORTS

1. Supplemental information must be included in the narrative field of the MV-4000E in all crashes involving department vehicles and all crashes resulting in death or personal injury where the victim is conveyed to a medical facility by ambulance. Supplemental information on other crashes shall be left to the discretion of the officer, a supervisor, Records Management Division, or his/her shift commander.
2. In situations where supplemental information must be added to a completed and validated MV-4000E (in TraCS), members shall provide the additional information:
 - a. In the narrative field of the TraCS report, as long as the report has not been approved and frozen by the Records Management Division, and as long as the officer is the person who initiated the MV-4000E.
 - b. On a PO-15a (*Supplemental Report*) if the MV-4000E has been approved and frozen by the Records Management Division.
 - c. On a PO-15a (*Supplemental Report*) if the additional information is being provided by an officer, other than the one who initiated the MV-4000E report.
3. The PO-15a (*Supplemental Report*) will be filed via the TraCS attachment form, referencing the crash document number in the “Form Number” field.
4. Only mark the “Supplemental Report” box “YES” in the crash report if a PO-15a or an incident report is filed. If supplemental information is contained in the narrative field of the crash report, this box does not need to be checked.

D. NON-CONTACT VEHICLES

A unit may be involved in an accident without making contact with another unit or other object. Involvement constitutes any unit's action or failure to act as required by law, and the act contributed to the accident. Non-contact units meeting this criterion must be included on the MV-4000E crash report as a non-contact unit. Members shall not enter the registration plate of non-contact units on the MV-4000E unless a member has personally seen such vehicle and can confirm said vehicle's involvement.

If the non-contact vehicle was operating within the law, police members shall record information only in the diagram and narrative of the report. Do not include this non-contact unit as a unit in field 6. Label the vehicle as "non-contact" in the diagram and record the driver's name and date of birth in the narrative. A non-contact vehicle operator which was operating within the law will not have a reportable accident placed on their driving record.

E. WARNING CARD INFORMATION NOT TO BE INCLUDED ON MV-4000E

The judgmental disposition of a traffic warning card is not to be included on the face of an MV- 4000E.

F. COMPLETION OF MV-4000E

1. Police members shall complete the MV-4000E on the day the crash is investigated and prior to the end of their shift. Police members unable to complete the report prior to the end of their shift shall notify their shift commander. Shift commanders shall determine if the report shall be completed on extension of duty overtime or the member's next tour of duty. Shift commanders shall consider the member's work schedule (e.g., regular off days, vacation) when deciding when the report shall be completed.
2. The MV-4000E must be received in "validated" status by the Records Management Division within ten days of the crash date to conform to state mandates.

650.25 CRASHES REPORTABLE AT DISTRICT STATIONS**A. SQUADS NOT TO BE DISPATCHED**

1. Crashes which meet the below listed criteria shall not have squads dispatched to investigate at the scene. In these instances, the caller shall be informed that if the parties involved wish to have a crash report filed, they must appear in person at a district station to file a report.
 - a. None of the parties involved are injured.
 - b. Neither driver is intoxicated.
 - c. The vehicles are drivable.
 - d. No government property is damaged.
 - e. The crash is not a hit and run.
 - f. There are no escalations between parties involved in the crash which may compromise public safety.
 - g. No major traffic congestion as a result of the crash.
2. Department members receiving this information shall advise those persons that prior to leaving the crash scene they must:
 - a. Exchange their names, addresses, and registration numbers with the other person.
 - b. Upon request of the other driver, exhibit their driver's license to the other person.

- c. If any driver involved in the crash refuses to provide their information and the above criteria is met, all persons involved in the crash shall be advised to report to the nearest district station to have a crash report filed.
- B. Persons appearing at a district station requesting to have a crash report filed shall have their requests investigated and filed by a police member assigned to inside duty. No police members assigned to street duty shall investigate these crashes unless directed to do so by their shift commander because of extraordinary circumstances.
- C. Officers who come upon an accident while in service are still required to obtain all pertinent information and file the appropriate reports.

650.30 FATAL OR SERIOUS INJURY CRASH INVESTIGATIONS (WILEAG 6.2.7)

- A. Members of the Crash Reconstruction Unit (CRU) shall respond in all cases deemed appropriate by direction of a Neighborhood Task Force (NTF) supervisor or in the absence of such supervisor the shift commander at the respective district or Geographic Investigations Division.
- B. Upon authorization for a call-up of the CRU personnel, the authorizing supervisor shall contact the Technical Communications Division supervisor **REDACTED**, who shall arrange for CRU personnel to respond to the scene. The supervisor from the CRU shall be in charge of the scene, in the event no CRU supervisor is available, the on-scene supervisor will remain in charge.
- C. Upon arrival, CRU personnel shall coordinate with the scene supervisor in the recovery of evidence.
(WILEAG 6.2.7.1)
- D. TELETYPE REQUIRED

It shall be the responsibility of the CRU to transmit a teletype message "MVFR" (Motor Vehicle Fatality Report) to DOT by the end of the working shift during which the fatality occurred. Such messages are to be submitted only on fatalities. Information required is as follows:

- Date and time of the crash.
- Name, sex, date of birth, time, and date of death of person(s) killed.
- Can names be released to the press? Yes or No (check with Geographic Investigations Divisions shift commander).
- Location of crash: county, municipality, street, and highway.
- Total number and type of units involved.
- Seating position and safety equipment used by the person(s) killed.
- Name of the investigating enforcement agency.
- Attach a copy of such message to the MV-4000E.

650.35 CRASHES INVOLVING CITY OWNED VEHICLES OR PROPERTY (WILEAG 6.2.7)

Whenever any city-owned vehicle or property is involved in a crash, an MV-4000E shall be

filed. Appropriate supplemental reports shall also be filed if necessary. The investigating member shall determine whether or not insurance is carried by the operator of any other vehicle involved, and if insurance is carried, the member shall indicate the name and address of the insurance company, and policy number, if available, on the MV-4000. The Records Management Division shall be responsible for forwarding reports of such crashes to the city attorney's office.

(WILEAG 6.2.7.4)

650.40 CRASHES INVOLVING DEPARTMENT VEHICLES (WILEAG 6.2.7)

A. INVESTIGATING SUPERVISOR

1. Department members shall immediately report to their supervisor any crash with a department motor vehicle operated by them or in their charge. The supervisor shall respond to the scene of all crashes involving a department vehicle.
 - a. A supervisor of higher rank from the member's work location shall conduct the investigation, with the exception of Internal Affairs Division (IAD) personnel who are authorized by the Chief of Police to conduct the investigation regardless of the rank of the member involved. If no supervisor of higher rank from the member's work location is available, then a supervisor of higher rank from the district in which the crash occurred shall investigate. If one is not available from the district in which the crash occurred, then a supervisor of a higher rank from another district shall investigate.
2. An MV-4000E, including supplemental information shall be filed on all crashes involving department vehicles. Members must print and submit a copy of the MV-4000E, including supplemental information, to their shift commander for review. If correction is needed, the member must make such correction on the TraCS report and then re-validate the report.
3. The supervisor investigating a crash involving a department vehicle shall make the determination if the crash is "reportable" or "non-reportable." The supervisor shall ensure that field #1 on the MV-4000E is properly checked.
4. The supervisor shall file a squad accident report via the AIM system, detailing the facts of the investigation.
5. The supervisor shall file the *Vehicle Service Request* (form PV-18) and consult with his/her shift commander to ensure that the Facilities Services Division has been notified of the damage to the department vehicle.
6. The supervisor shall ensure any PO-15a reports filed via the TraCS attachment form are printed and included with the above reports.
7. The shift commander shall ensure that the *Restitution Recovery-Review Package* (form PR-92) is filed (Refer to SOP 640 - Department Owned Vehicles).

(WILEAG 6.2.7.4)

B. COMMANDING OFFICER

1. The commanding officer of the member involved in the crash shall be responsible for the review and approval of the investigating supervisor's on-duty squad accident report on the AIM system.
2. Commanding officers shall be responsible for filing a summary of the crash investigation on the AIM system, including any recommendations for further action or investigation. They shall forward the AIM system report directly to the appropriate supervisor of the Internal Affairs Division.
3. If there are serious injuries requiring admission to a hospital or if death occurs as a result of a department vehicle crash, the commanding officer shall forward the reports via the AIM system to their respective bureau commanding officer. Commanding officers may, at any other time they believe notification to their bureau commander is warranted, forward department vehicle crash reports to their bureau commander.

C. MOTOR VEHICLE PURSUITS

If a crash occurs during a motor vehicle pursuit, in addition to the MV-4000E, supervisors shall file a motor vehicle pursuit report, via the AIM system (Refer to SOP 660 - Vehicle Pursuits).

650.45 HAZARDOUS MATERIAL (WILEAG 6.2.7)

As a result of vehicle crashes members may encounter materials they deem to be hazardous to themselves or to the environment. This may include vehicles transporting hazardous materials or a vehicle leaking gas following a crash. If a member determines a hazardous material leak or concern they shall contact the Technical Communications Division who, in turn, will contact MFD (Hazardous Material Unit).
(WILEAG 6.2.7.5)

650.50 FILING OF INCIDENT REPORT/AIM SYSTEM REQUIREMENTS

Police members shall file an incident report involving the following incidents.

- A. All crashes resulting in death.
- B. All hit-and-run incidents resulting in injury or death
- C. All fleeing incidents resulting in injury or death.
- D. All incidents involving unlicensed drivers (OAR/OAS) resulting in great bodily harm or death.

Incident reports regarding squad accidents shall be filed in the Administrative Investigations Management (AIM) system and shall be prepared using the following guidelines:

The supervisor responsible for filing the report shall obtain a number in the AIM system prior to securing from duty on the date in which the incident occurred.

Reports are to be completed and tracked to the designated supervisor or shift commander within (3) three days of the incident.

Each subsequent review by the shift commander/commanding officer shall be completed and tracked in a expeditious manner.

Reports shall be thoroughly completed and reviewed within 17 days following the date on which the incident occurred and then tracked to the Internal Affairs Division.

Note: Members shall be aware that according to Wis. Stat. § 346.73: Accident reports required to be filed with or transmitted to the department (Department of Transportation) or a county or municipal authority shall not be used as evidence in any judicial trial, civil or criminal, arising out of an accident, except that such reports may be used as evidence in any administrative proceeding conducted by the department. The department shall furnish upon demand of any person who has or claims to have made such a report, or upon demand of any court, a certificate showing that a specified accident report has or has not been made to the department solely to prove a compliance or a failure to comply with the requirement that such a report be made to the department.

650.55 ANALYSIS OF CRASH/ PURSUIT DATA

- A. It shall be the responsibility of IAD to establish a database of information on department motor vehicle crashes and motor vehicle pursuits.
- B. In certain circumstances, IAD may conduct a statistical analysis of all departmental motor vehicle crashes and motor vehicle pursuits. This analysis may be conducted for the following purposes:
 - 1. Identification of those department members who are involved in on-duty motor vehicle crashes or motor vehicle pursuits.
 - 2. Examination of the data to identify any trends, patterns, or causative factors.
 - 3. Determination of the need for further investigation or departmental discipline.
 - 4. Consultation with the Police Academy commanding officer to evaluate the need for remedial, revised, or additional training.

5. Provide assistance to the Office of the City Attorney in civil litigation involving department motor vehicle crashes or motor vehicle pursuits.



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